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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 KENNETH ALLEN NEIGHBORS,

12 Plaintiff,

No. CIV S-03-0329 GEB KJM P

13 vs.

14 K. NICHOLS, et al.,

15 Defendants.

ORDER

16 _____/
17 On June 28, 2005, plaintiff filed a request for
18 reconsideration of the Magistrate Judge's May 11, 2005 order.
19 Local Rule 72-303(b), states "rulings by Magistrate Judges shall
20 be final if no reconsideration thereof is sought from the Court
21 within ten court days . . . from the date of service of the
22 ruling on the parties." E.D. Local Rule 72-303(b). Plaintiff's
23 request for reconsideration of the magistrate judge's order of
24 May 11, 2005 is therefore untimely.

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1 Accordingly, IT IS HEREBY ORDERED that plaintiff's
2 June 28, 2005 request for reconsideration is denied.

3 Dated: August 15, 2005

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5 /s/ Garland E. Burrell, Jr.
6 GARLAND E. BURRELL, JR.
7 United States District Judge
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